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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

3 Lucky29 Liquors, LLC,

2:24-cv-00857-APG-MDC

VS.

ORDER GRANTING MOTION TO WITHDRAW

Best Aircraft Deals, LLC.,

Defendant(s).

Plaintiff(s),

Plaintiff's counsel – Jeffrey R. Sylvester, Esq. and Kelly L. Schmitt, Esq. of the law firm of Sylvester & Polednak, Ltd.– have filed an Emergency Motion to Withdraw (ECF No. 29) from representing plaintiff Lucky29 Liquors, LLC. Under Local Rule ("LR") IA 11-6(b) "[if] an attorney seeks to withdraw after appearing in a case, the attorney must file a motion or stipulation and serve it on the affected client and opposing counsel." LR IA 11-6(b).

Counsel served their motion as required and plaintiff did not respond or oppose. Defendant filed a non-opposition to the motion. The grounds for withdrawal include failure to communicate, failure to provide documents and information, and failure to pay for services. ECF No. 29. Counsels certify that they have advised plaintiff of their intent to withdraw and the need for plaintiff to retain new counsel. *Id.* The Court finds that good cause exists to grant leave to withdraw.

Plaintiff is cautioned that it may not proceed *pro se* and must retain counsel. In federal courts, corporate entities may only appear through licensed counsel. *United States v. High Country Broad. Co.*, *United States v. High Country Broad. Co.*, 3 F.3d 1244, 1245 (9th Cir. 1993). Plaintiff must retain counsel and file a notice of appearance by new counsel on or before **November 15, 2024**.

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ACCORDINGLY,

IT IS ORDERED that:

1. The *Motion to Withdraw* (ECF No. 29) is GRANTED.

- 2. The Clerk of Court is kindly directed to remove Jeffrey R. Sylvester, Esq. and Kelly L. Schmitt, Esq. of the law firm of Sylvester & Polednak, Ltd. as counsel of record for plaintiff and from electronic service list for this case.
- 3. The Clerk of the Court is kindly directed to add the last known address of plaintiff to the docket and send a copy of this Order to plaintiff's last known address:

Lucky29 Liquors, LLC c/o Blane Huff, Manager 3550 E. Post Road, Unit 500 Las Vegas NV, 89120 970-646-1222 blane@lucky29liquors.com

4. Plaintiff shall file a notice of appearance by new counsel on or before November 15, 2024.
Failure to timely comply with this order may result in a recommendation that this case be dismissed.

DATED this 16th day of October 2024.

IT IS SO ORDERED.

Hon. Maximiliano D. Couvillier III United States Magistrate Judge